

**NOTICE CONCERNING
EXPEDITION OF APPEALS
AND PETITIONS FOR REVIEW**

The United States Court of Appeals for the District of Columbia Circuit has approved a procedure that allows qualifying appeals to be placed in a "stand-by pool" of cases. These cases will be used to fill gaps in the argument calendar caused when calendared cases are terminated prior to oral argument. Placement in the pool will not result in delay of your appeal and may result in significant expedition. To qualify for inclusion in this pool the following conditions must be met within 30 (thirty) days of docketing:

- (1) All parties must stipulate that they do not object to inclusion in the stand-by pool.
- (2) All parties must stipulate to a briefing schedule on the form provided. The parties should be aware that the chances of expedition are increased to the extent they agree to shorter briefing periods.
- (3) All parties must stipulate that they will not file any dispositive motions.

If these conditions are met, the case, if otherwise appropriate (see below), will be placed in the first available gap in the calendar. Counsel is assured at least three weeks notice prior to scheduling. If counsel is unavailable for the selected date, the case will be placed on a normal nonexpedited track. If no gap emerges, every effort will be made to calendar the case so that consideration is not delayed.

The Court will not ordinarily include in the "stand-by pool" cases that are inappropriate for oral argument, see D.C. Cir. Rule 34(j), or cases that require special internal management pursuant to this Court's Civil Appeals Management Plan.

A suggested form for use by Counsel is attached.

/s/Mark Langer
Clerk

Attachment